

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

MADGE *et al.*

Appl. No.: 10/658,971

Filed: September 9, 2003

For: **Boronic Acid Salts Useful in
Parenteral Formulations**

Confirmation No.: 3998

Art Unit: 1614

Examiner: KWON, Brian Yong S.

Atty. Docket: 2451.0090008/BJD/GER

Thirteenth Supplemental Information Disclosure Statement

Under 37 C.F.R. § 1.97(b)

Mail Stop Amendment

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Listed on accompanying IDS Form, PTO/SB/08A, is a document that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. The numbering on this Thirteenth Supplemental Information Disclosure Statement is a continuation of the numbering in Applicants' Twelfth Information Disclosure Statement filed on October 16, 2007 in connection with the above-captioned application. In accordance with 37 C.F.R. § 1.98(a)(2), a copy of the U.S. patent application publication, document **US9**, cited on the attached IDS Form PTO/SB/08A is not submitted.

The Examiner's attention is directed to the following co-pending U.S. Patent Application, which is directed to related technical subject matter:

Application No. 11/438,823, inventors Deadman *et al.*, filed May 22, 2006; published as U.S. Publication No. 2006/0229257 A1 and listed as document US8 on

accompanying Form PTO/SB/08A. The Examiner is respectfully requested to consider the cited application and the art cited therein during examination.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed the publication date on the attached IDS Form based on information presently available to the undersigned. However, the listed publication date should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

This Information Disclosure Statement is being filed before the mailing of a first Office Action after the filing of a request for continued examination under 37 C.F.R. § 1.114. No statement or fee is required.

It is respectfully requested that the Examiner initial and return a copy of the enclosed IDS Form, and indicate in the official file wrapper of this patent application that the document has been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

A handwritten signature in black ink, appearing to read "Grant E. Reed". The signature is fluid and cursive, with the first name "Grant" and last name "Reed" clearly distinguishable.

Grant E. Reed
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Date: October 22, 2007

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